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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/757,741	01/09/2001	James A. Munro	03971.P019	7731

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EXAMINER
NGUYEN, LE V

ART UNIT	PAPER NUMBER
2174	12

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.		**Applicant(s)**
Office Action Summary	09/757,741		MUNRO ET AL.
	Examiner		**Art Unit**
	Le Nguyen		2174

-- The MAILING DATE of this communication appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _14 November 2003_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4)☐ Interview Summary (PTO-413) Paper No(s). _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to a request for reconsideration, filed 11/14/03.

2.   Claims 1-28 are pending in this application. Claims 1, 9, 15, 19 and 24 have been

amended. This action is made Final.

3.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

Claim Rejections - 35 USC § 103

4.   Claims 1-4, 10-11, 16-18 and 23-25 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US

6,496,206).

        As per claim 1-4, Tyan teaches an apparatus, comprising a computer readable media and

a program written in a page description language and embedded on the computer readable media,

the program to provide instructions, which when executed by a machine, cause the machine to

display and to manipulate a bitmap image within a window in a network system wherein the

network system is one in a group of a client server system, a World Wide Web, an Internet, a

mobile phone network, a first device in communication with a second device (col. 1, lines 9-48),

the bitmap image having a hierarchical system of folders associated with the bitmap image

wherein the hierarchical system of folders comprise the image having a folder, the folder having

content, and the content being within the folder and wherein content is one in a group consisting

of a subfolder, a graphic object, a text document, a hyperlink, a border information, an image

map, or an image address (col. 4, line 34 through col. 5, line 3). Tyan does not explicitly disclose

the hierarchical system of folders to be accessible through the displayed image. Mernyk teaches

an apparatus, comprising a computer readable media and a program on the computer readable

media, the program to provide instructions, which when executed by a machine, cause the

machine to display and to manipulate a bitmap image within a window a hierarchical system of

folders to be accessible through the displayed image (Abstract; col. 3, lines 29-50; fig. 2 and

respective portions of the specification). Therefore, it would have been obvious to an artisan at

the time of the invention to include Mernyk's method of displaying and manipulating a bitmap

image within a window having a hierarchical system of folders to be accessible through the

displayed image with Tyan's method of displaying and manipulating a bitmap image within a

window having a hierarchical system of folders in order to provide users with a visual method of

quickly accessing as well as distinguishing a large number of data.

Claims 10, 16 and 25 are individually are similar in scope to claim 1 and are therefore

rejected under similar rationale.

As per claim 11, Tyan teaches an apparatus comprising concurrently displaying in the

window multiple bitmap images (col. 1, lines 26-28).

Claim 17 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to the combination of claims 3 and 5 and is therefore rejected

under similar rationale.

Claims 23 and 24 in combination is similar in scope to claim 1 and is therefore rejected

under similar rationale.

5.   Claims 19 and 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al.

("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US 6,496,206) as applied to claims

15 and 1 respectively, and further in view of Scott et al. ("Scott", US 6,545,687 B2).

As per claim 5, although Tyan teaches an apparatus comprising displaying and

manipulating bitmap images within a window in a network system wherein the network system

is one in a group of a client server system, a World Wide Web, an Internet, a mobile phone

network, a first device in communication with a second device (col. 1, lines 9-48; *manipulating*

images in a browser environment), Tyan does not explicitly disclose manipulating is one in a

group consisting of to zoom in on the bitmap image, to zoom out from the bitmap image, to

select a region of interest of the bitmap image, to restore an initial view of the bitmap image, to

pan the bitmap image, to link to the bitmap image, to stretch the bitmap image, to center the

bitmap image in the window, to reset/undo an operation performed on the bitmap image, to

magnify the bitmap image, to move left on the bitmap image, to move right on the bitmap image,

to move up on the bitmap image, or to move down on the bitmap image. Scott teaches an

apparatus wherein manipulating is one in a group consisting of to zoom in on the bitmap image,

to zoom out from the bitmap image, to select a region of interest of the bitmap image, to restore

an initial view of the bitmap image, to pan the bitmap image, to link to the bitmap image, to

stretch the bitmap image, to center the bitmap image in the window, to reset/undo an operation

performed on the bitmap image, to magnify the bitmap image, to move left on the bitmap image,

to move right on the bitmap image, to move up on the bitmap image, or to move down on the

bitmap image (col. 8, lines 27-43; col. 914, lines 1-24). Therefore, it would have been obvious to

an artisan at the time of the invention to include Scott's method of manipulating images such as

zooming in on the bitmap image to Tyan's method of manipulating images in order to provide

users with additional image manipulating capabilities.

Claim 19 is similar in scope to claim 5 and is therefore rejected under similar rationale.

6.   Claims 6-7, 12-13 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Tyan et al. ("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US 6,496,206) as

applied to claims 1, 10 and 25 respectively, and further in view of Scott et al. ("Scott", US

6,545,687 B2).

As per claims 6 and 7, although Tyan teaches an apparatus wherein the bitmap image

may be manipulated (*i.e. inherent to a browser environment is the ability to manipulate bitmap

images such as zoom in, zoom out, select a region of interest, etc.*), Tyan does not explicitly

disclose an apparatus wherein manipulation is in the form of scaling the bitmap image to a new

size with data stored in the cache until the program decodes data corresponding to the new size.

Scott teaches progressive JPEG wherein upon a request for an image file or a request to scale the

image file, the program stores the image in cache and the image is shown in progressively

multiple levels of resolution until the program finishes decoding data corresponding to the new

file (col.40, lines 61-63; col. 19, line 57 through col. 20, line 17; *wherein images shown in

progressively multiple levels of resolution is inherent in progressive JPEG in order to gradually

display the image*). Therefore, it would have been obvious to an artisan at the time of the

invention to include Scott's teaching of progressive JPEG for images having multiple levels of

resolution and images stored in cache until the program decodes data corresponding to a new

data request such as scaling to Tyan's method of manipulating images in order to provide users

with the ability to view images with increasingly detailed versions of the picture until the entire file finishes downloading.

Claims 13 and 28 are individually similar in scope to the combination of claims 5 and 6 and are therefore rejected under similar rationale.

Claim 27 is similar in scope to the combination of claims 5 and 6 and is therefore rejected under similar rationale except for the limitation that the bitmap image is from an image database, which Scott teaches (col. 20, lines 1-13).

Claim 12 is similar in scope to claim 6 and is therefore rejected under similar rationale.

7.   Claims 8-9, 15 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al. ("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US 6,496,206) as applied to claims 1, 10 and 16 respectively, and further in view of Takeuchi et al. ("Takeuchi", US 6,392,670 B1).

As per claims 8 and 9, although Tyan teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to manipulate objects (col. 1, lines 9-48), Tyan does not explicitly disclose the apparatus to include establishing a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a representation of an object is displayed and above the value of the predetermined setting the object is displayed wherein the object is one in a group consisting of the bitmap image, a folder, content associated with the bitmap image, or content associated with the folder. Takeuchi teaches an apparatus comprising instructions, which when executed by the machine, cause the machine to display and to establish a predetermined setting, the predetermined setting having a value, below the value of the predetermined setting a

representation of an object is displayed and above the value of the predetermined setting the

object is displayed wherein the object is one in a group consisting of the bitmap image, a folder,

content associated with the bitmap image, or content associated with the folder (Abstract; figs. 9-

19). Therefore, it would have been obvious to an artisan to include Takeuchi's teaching of an

apparatus comprising instructions, which when executed by the machine, cause the machine to

display and to establish a predetermined setting, the predetermined setting having a value, below

the value of the predetermined setting a representation of an object is displayed and above the

value of the predetermined setting the object is displayed to Tyan's apparatus comprising

instructions, which when executed by the machine, cause the machine to display and to

manipulate objects in order to provide users with a step-by-step logical representation of

information.

Claims 21 and 22 in combination is similar in scope to the combination of claims 7 and 8

and is therefore rejected under similar rationale.

Claim 15 is similar in scope to the combination of claims 7 and 8 and is therefore rejected

under similar rationale.

8.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al.

("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US 6,496,206) as applied to claim

10, and further in view of Scott et al. ("Scott", US 6,545,687 B2)

As per claim 14, although Tyan teaches a method of displaying and manipulating bitmap

images (col. 1, lines 9-48), Tyan does not explicitly disclose the bitmap image to be compressed

according to a block based integer wavelet transform coding scheme. Scott teaches a method of

utilizing discrete wavelet transform compression techniques for image compression (col. 16,

lines 52-58). Therefore, it would have been obvious to an artisan to include Tyan's method of

displaying and manipulating bitmap images to Scott's method of utilizing discrete wavelet

transform compression techniques for image compression in order to provide users with

compression efficiency.

9.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tyan et al.

("Tyan", US 5,893,127) in view of Mernyk et al. ("Mernyk", US 6,496,206).

        As per claim 26, although Tyan teaches an apparatus comprising a bitmap image wherein

the hierarchical system of folders are associated with the bitmap image (col. 1, lines 9-48), Tyan

does not explicitly disclose that the apparatus comprises a means for concurrently displaying in

the window multiple bitmap images. However, Tyan discloses concurrently displaying in the

window multiple bitmap images in a description of the related art (col. 1, lines 26-31). Therefore,   ·

it would have been obvious to an artisan at the time of the invention to include concurrently

displaying in the window multiple bitmap images to Tyan's apparatus comprising a bitmap

image wherein the hierarchical system of folders are associated with the bitmap image in order to

provide users with a view of related images.

Response to Arguments

10.   Applicant's arguments with respect to claims 1-28 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Inquires

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Lê Nguyen whose telephone number is **(703) 305-7601**. The

examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are
as follows:

(703) 746-7238 [After Final Communication]

(703) 872-9306 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen
Patent Examiner
January 24, 2004

Kristine Kincaid
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